

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF:

THEODIS PEARSON  
PATRICIA ANN PEARSON

Debtors

)  
)  
)  
)  
)  
)

CASE NO. 05-18457

DECISION AND ORDER

At Fort Wayne, Indiana, on March 2, 2006

The notice of motion and opportunity to object which CIT Group (hereinafter “Movant”) served in connection with its application for abandonment and relief from stay does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not correctly state the date upon which the motion was filed. N.D. Ind. L.B.R. B-2002-2(c)(2). The motion was filed on January 12, 2005, while the notice refers to a motion filed on January 13, 2006.
- b. The notice does not adequately “state the relief sought” by the motion. N.D. Ind. L.B.R. B-2002-2(c)(3).

Since this is the second time that creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the motion is DENIED, without prejudice to resubmission.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court